

Response to Suspension Inquiry or Letter of Suspension

The table below presents the data as entered.

Input Field	Entered
SERIAL NUMBER	86916873
LAW OFFICE ASSIGNED	LAW OFFICE 116
MARK SECTION	
MARK	http://tmng-al.uspto.gov/resting2/api/img/86916873/large
LITERAL ELEMENT	JEFF THE KILLER
STANDARD CHARACTERS	YES
USPTO-GENERATED IMAGE	YES
MARK STATEMENT	The mark consists of standard characters, without claim to any particular font style, size or color.
PENDING SERIAL NUMBER(S)	
Serial number(s) 86675219 should not be used as a citation(s) under Section 2(d), in the event that said serial number(s) mature(s) into a registration(s). The applicant hereby requests removal of this application from suspension, based on the following arguments. If the examining attorney is not persuaded by these arguments, the applicant hereby requests that this application be returned to suspended status, awaiting ultimate disposition of the referenced serial number(s).	
ARGUMENT(S)	
The Examining Attorney issued a suspension indicating that Applicant's mark may be refused registration under Section 2(d) because of a possible likelihood of confusion with the US application No. 86675219. Applicants mark US Application No. 86916873 covers clothing goods in classes 25 and 28. Possible cited US Application No. 86675219 covers visual recordings and audiovisual recordings featuring music and animation in class 9. There is no likelihood of confusion between the marks since the goods are unrelated, and sold in a different channels of trade to a different customers. The Notice of Suspension has been issued in error and should be withdrawn. Also, Applicant would like to delete the intent to use basis so that the registration can issue based on the foreign registration. It is respectfully requested that the application proceed towards publication.	
SIGNATURE SECTION	
RESPONSE SIGNATURE	/Thomas W. Cole/
SIGNATORY'S NAME	Thomas W. Cole
SIGNATORY'S POSITION	Attorney [VA bar]
SIGNATORY'S PHONE NUMBER	703-677-3001
DATE SIGNED	10/03/2016
AUTHORIZED SIGNATORY	YES
FILING INFORMATION SECTION	
SUBMIT DATE	Mon Oct 03 12:47:17 EDT 2016
USPTO/RSI-XX.XXX.XXX.XX-2	

TEAS STAMP

0161003124717489850-86916
873-570a1682c12baeb97acd5
5a7cc985a3f76fe31eeca35c7
8278d5186286ecc28d3-N/A-N
/A-20161003115817342679

Under the Paperwork Reduction Act of 1995 no persons are required to respond to a collection of information unless it displays a valid OMB control number.

PTO Form 1822 (Rev 10/2011)

OMB No. 0651-0050 (Exp 07/31/2017)

Response to Suspension Inquiry or Letter of Suspension

To the Commissioner for Trademarks:

Application serial no. **86916873** JEFF THE KILLER(Standard Characters, see <http://tmng-al.uspto.gov/resting2/api/img/86916873/large>) has been amended as follows:

PENDING SERIAL NUMBER(S)

Serial number(s) 86675219 should not be used as a citation(s) under Section 2(d), in the event that said serial number(s) mature(s) into a registration(s). The applicant hereby requests removal of this application from suspension, based on the following arguments. If the examining attorney is not persuaded by these arguments, the applicant hereby requests that this application be returned to suspended status, awaiting ultimate disposition of the referenced serial number(s).

ARGUMENT(S)

The Examining Attorney issued a suspension indicating that Applicant's mark may be refused registration under Section 2(d) because of a possible likelihood of confusion with the US application No. 86675219.

Applicants mark US Application No. 86916873 covers clothing goods in classes 25 and 28.

Possible cited US Application No. 86675219 covers visual recordings and audiovisual recordings featuring music and animation in class 9.

There is no likelihood of confusion between the marks since the goods are unrelated, and sold in a different channels of trade to a different customers. The Notice of Suspension has been issued in error and should be withdrawn.

Also, Applicant would like to delete the intent to use basis so that the registration can issue based on the foreign registration.

It is respectfully requested that the application proceed towards publication.

Response Suspension Inquiry Signature

Signature: /Thomas W. Cole/ Date: 10/03/2016

Signatory's Name: Thomas W. Cole

Signatory's Position: Attorney [VA bar]

Signatory's Phone Number: 703-677-3001

The signatory has confirmed that he/she is an attorney who is a member in good standing of the bar of the highest court of a U.S. state, which includes the District of Columbia, Puerto Rico, and other federal territories and possessions; and he/she is currently the applicant's attorney or an associate thereof; and to the best of his/her knowledge, if prior to his/her appointment another U.S. attorney or a Canadian attorney/agent not currently associated with his/her company/firm previously represented the applicant in this matter: (1) the applicant has filed or is concurrently filing a signed revocation of or substitute power of attorney with the USPTO; (2) the USPTO has granted the request of the prior representative to withdraw; (3) the applicant has filed a power of attorney appointing him/her in this matter; or (4) the applicant's appointed U.S. attorney or Canadian attorney/agent has filed a power of attorney appointing him/her as an associate attorney in this matter.

Serial Number: 86916873

Internet Transmission Date: Mon Oct 03 12:47:17 EDT 2016

TEAS Stamp: USPTO/RSI-XX.XXX.XXX.XX-2016100312471748

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N/A-N/A-20161003115817342679